

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

SHAWN MICHAEL MCCOWAN,

Defendant.

2:20-CR-151-JAD-EJY

**Preliminary Order of Forfeiture**

This Court finds Shawn Michael McCowan pled guilty to Count One of a One-Count Criminal Indictment charging him with felon in possession of a firearm in violation of 18 U.S.C. § 922(g)(1). Criminal Indictment, ECF No. 11; Change of Plea, ECF No. \_\_; Plea Agreement, ECF No. \_\_.

This Court finds Shawn Michael McCowan agreed to the forfeiture of the property set forth in the Plea Agreement and the Forfeiture Allegation of the Criminal Indictment. Criminal Indictment, ECF No. 11; Change of Plea, ECF No. \_\_; Plea Agreement, ECF No. \_\_.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (b)(2), the United States of America has shown the requisite nexus between property set forth in the Plea Agreement and the Forfeiture Allegation of the Criminal Indictment and the offense to which Shawn Michael McCowan pled guilty.

The following property is any firearm or ammunition involved in or used in any knowing violation of 18 U.S.C. § 922(g)(1) and is subject to forfeiture pursuant to 18 U.S.C. § 924(d)(1) with 28 U.S.C. § 2461(c):

1. Ruger P89DC, with an unknow serial number;

1           2. Glock 26, with an unknown serial number; and  
2           3. any and all compatible ammunition  
3 (all of which constitutes property).

4           This Court finds that on the government's motion, the Court may at any time enter  
5 an order of forfeiture or amend an existing order of forfeiture to include subsequently  
6 located property or substitute property pursuant to Fed. R. Crim. P. 32.2(e) and  
7 32.2(b)(2)(C).

8           This Court finds the United States of America is now entitled to, and should, reduce  
9 the aforementioned property to the possession of the United States of America.

10          NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND  
11 DECREED that the United States of America should seize the aforementioned property.

12          IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all possessory  
13 rights, ownership rights, and all rights, titles, and interests of Shawn Michael McCowan in  
14 the aforementioned property are forfeited and are vested in the United States of America  
15 and shall be safely held by the United States of America until further order of the Court.

16          IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that if the value of  
17 the property is less than \$1,000, the government may serve every person reasonably  
18 identified as a potential claimant in lieu of publication pursuant to Fed. R. Crim. P.  
19 32.2(b)(6)(C) with Fed. R. Civ. P. Supp. Rule G(4)(a)(i)(A).

20          IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual  
21 or entity who claims an interest in the aforementioned property must file a petition for a  
22 hearing to adjudicate the validity of the petitioner's alleged interest in the property, which  
23 petition shall be signed by the petitioner under penalty of perjury pursuant to 21 U.S.C. §  
24 853(n)(3) and 28 U.S.C. § 1746, and shall set forth the nature and extent of the petitioner's  
25 right, title, or interest in the forfeited property and any additional facts supporting the  
26 petitioner's petition and the relief sought.

27          IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any,  
28 must be filed with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas,

1 Nevada 89101, no later than thirty (30) days after the notice is sent or, if direct notice was  
2 not sent, no later than sixty (60) days after the first day of the publication on the official  
3 internet government forfeiture site, [www.forfeiture.gov](http://www.forfeiture.gov).

4 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the  
5 petition, if any, shall be served upon the Asset Forfeiture Attorney of the United States  
6 Attorney's Office at the following address at the time of filing:

7 Daniel D. Hollingsworth  
8 Assistant United States Attorney  
9 James A. Blum  
10 Assistant United States Attorney  
501 Las Vegas Boulevard South, Suite 1100  
Las Vegas, Nevada 89101.

11 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice  
12 described herein need not be published in the event a Declaration of Forfeiture is issued by  
13 the appropriate agency following publication of notice of seizure and intent to  
14 administratively forfeit the above-described property.

15 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send  
16 copies of this Order to all counsel of record.

17 Dated: November 4, 2021.

18  
19  
20   
21 JENNIFER A. DORSEY  
22 UNITED STATES DISTRICT JUDGE  
23  
24  
25  
26  
27  
28